

## Message Text

UNCLASSIFIED

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ACTION IO-14

INFO OCT-01 ISO-00 AF-10 ARA-14 EA-12 EUR-12 NEA-10

CIAE-00 INR-10 NSAE-00 L-03 SS-15 PA-02 NSC-05

/108 W

-----110910 040756Z /13

R 040106Z MAR 78

FM USMISSION USUN NEW YORK

TO SECSTATE WASHDC 9867

UNCLAS USUN NEW YORK 00770

E.O.11652: N/A

TAGS: UN

SUBJECT: SPECIAL COMMITTEE ON CHARTER

1. COMMITTEE CONVENED AM ON MARCH 3 AS WORKING GROUP OF THE WHOLE. MEXICO GAVE RESUME OF PAST EFFORTS OF THE UN IN AREA PEACEFUL SETTLEMENT OF DISPUTES, COMMENTED ON DEFECTS IN REVISED GENERAL ACT FOR THE PACIFIC SETTLEMENT OF INTERNATIONAL DISPUTES. SPECIFICALLY, MEXICO PROPOSED EFFORT BE MADE TO CONSIDER DESIRABILITY OF PREPARING TREATY OR DECLARATION ON PEACEFUL SETTLEMENT OF DISPUTES AND ENUMERATED FOLLOWING POINTS TO BE INCLUDED: (1) RE-AFFIRMATION OF COMMITMENT TO SUBMIT ALL DISPUTES TO PEACEFUL SETTLEMENT PROCEDURES; (2) NON-APPLICABILITY OF THIS DECLARATION TO SUBJECTS ALREADY GOVERNED BY OTHER TREATIES OR DECLARATIONS; (3) ORDER OF PROCEDURES INCLUDED IN DECLARATION DOES NOT REPRESENT ORDER OF PRIORITY AND PARTIES MAY RESORT TO WHATEVER PROCEDURE THEY DEEM APPROPRIATE; (4) NON-APPLICABILITY TO MATTERS COMING WITHIN DOMESTIC JURISDICTION. IF DISAGREEMENT, MATTER COULD BE PUT BEFORE ICJ; (5) CALVO CLAUSE; (6) ACCEPTANCE OF OR RECOURSE TO PEACEFUL SETTLEMENT OF DISPUTES PROCEDURES WOULD NOT BE LIMITATION ON RIGHT OF SELF-DEFENSE; (7) REFERENCE SHOULD BE MADE TO ALL MEANS OF PEACEFUL SETTLEMENT OF DISPUTES, INCLUDING THOSE

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IN CHARTER ARTICLE 33; (8) ACCEPTANCE OF ICJ JURISDICTION FOR SPECIFIC AGREED UPON SUBJECT; (9) GREATER USE OF ICJ OPINIONS; (10) OBLIGATION OF STATES TO PROVIDE NOTIFICATION OF EVENTS WHICH MIGHT CREATE FRICTION; (12) REAFFIRMATION OF PROHIBITION OF THREAT OR USE OF FORCE.

2. US STATED GENERAL AGREEMENT WITH THRUST OF MEXICAN

INTERVENTION, STRESSED NEED TO EXPLORE WHY STATES HAD NOT  
MADE GREATER USE OF EXISTING DISPUTE SETTLEMENT POSSI-  
BILITIES, NOTED NUF COMMITTEE WOULD BE ONE USEFUL FORA  
DISCUSS MEXICAN DECLARATION IN DEPTH, EXPRESSED HOPE  
MEXICANS DID NOT INTEND PRESS ANY CALVO CLAUSE IDEAS  
SINCE THAT INCONSISTENT WITH RECOGNITION OF ROLE OF  
INTERNATIONAL LAW IN CONTEMPORARY WORLD.

3. IN PARAGRAPH 1(8), "SUBJECT" SHOULD READ "SUBJECTS".  
YOUNG

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 jan 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** n/a  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 04 mar 1978  
**Decaption Date:** 01 jan 1960  
**Decaption Note:**  
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**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:**  
**Disposition Date:** 01 jan 1960  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
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**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Expiration:**  
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**Review Markings:**  
Sheryl P. Walter  
Declassified/Released  
US Department of State  
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**Markings:** Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014